



## COUNCILMEMBER DONNA FRYE

CITY OF SAN DIEGO – SIXTH COUNCIL DISTRICT

### News Release

For Immediate Release

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## **The Public Has a Right to Know City Council Set to Vote on Ordinance Today**

*Frye says proposed compromise will shut the public out of the budget process*

**San Diego, CA-** A month ago, the public supported and a majority of the City Council voted on a budget ordinance to protect the public right to know by requiring the Mayor to bring forward for a public hearing any material and substantial reductions in budgeted city service levels. That budget ordinance will come before the City Council today for a final vote. It states that any change to the approved budget that results in a material and substantial cut to a service level requires a vote by the City Council at a public hearing.

“Some members of the City Council and the Mayor are attempting to derail this important budget ordinance by promoting ‘compromise’ language that would limit the public’s right to know, and upend the balance of power between the executive and legislative branches of government,” stated Councilmember Donna Frye.

Under the compromise, a public hearing and City Council action would not be required unless the proposed budget cut is a line item in the Annual Appropriation Ordinance and results in a \$4 million or 10 percent cut.

Frye analyzed the difference between the budget ordinance and the compromise language using the following recent example: “At the February 28, 2007, Budget & Finance Committee meeting, I learned that the Mayor had ‘shut down the city’s internal auditing unit leaving no employees to inspect invoices, purchases, time cards and department spending,’ having them focus instead on overdue annual audits,” explained Frye.

Employees in the internal audit unit were reassigned more than a year ago, according to the Mayor’s Chief Financial Officer, Jay Goldstone.

“This action by the Mayor raises a number of material issues that demand a public process.” said Frye. “The internal controls in San Diego have been the subject of some very expensive studies and ongoing audits. Shutting down the city’s internal audit unit could cause more problems with the SEC, and has already put San Diego in the national news this weekend in *USA Today*.”

Frye also explained how the Mayor’s reassignment of the internal audit unit would be addressed under the “compromise” proposal and the budget ordinance that she supports.

Under the compromise language, the elimination of the internal audit unit would not be a budget cut because the employees are simply performing a different city function. Therefore, it would not require a City Council vote at a public hearing. At best, we might learn about it after the fact.

Under the budget ordinance, the elimination of the internal audit function would be considered a material service level cut, and would therefore require a City Council action at a public hearing before the Mayor could unilaterally eliminate this important function.

“The public and City Council have a right to know what city service levels are being eliminated, before, and not after the Mayor makes a decision,” Frye stated. “The compromise language is not in the best interest of the public or our city because it eliminates the public and the legislative branch of government from much of the budget process. Had the budget ordinance been in place a year ago, the internal auditors would still be overseeing the spending of taxpayer dollars.”

Frye is the Councilmember for the Sixth Council District of the City of San Diego, which includes the communities of Clairemont, Kearny Mesa, Linda Vista, Mission Bay, Mission Valley and Serra Mesa. She has served on the City Council representing District Six since 2001 and is currently the chair of the Council’s Natural Resources and Culture committee.

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## Down to the wire

■ As many as 14 teams will clinch NCAA hoop bids this weekend, 1, 4C

# USA TODAY

NO. 1 IN THE USA



By Eric McCandless, Hallmark Channel

Teri Polo: To star in Fox's *The Wedding Bells*.

## TV's 2nd season — sort of

■ New shows are ready to go for midseason, whatever that is these days, 7D  
■ Networks' ups and downs, 8D

## How twister hit school

■ Tornado kills five at Alabama high school; two others die, 35 hospitalized in state, 3A

Enterprise, Ala.: Military helicopters evacuate injured from high school.



By Rob Carr, AP

## Chip Foose overhaulin' mainstream designs

His cars are So Cal cool, and now he's bringing his vision to Ford



By Marco R. della Cava  
USA TODAY

HUNTINGTON BEACH, Calif. — Chip Foose recently bought his wife, Lynne, a new Mercedes S-Class sedan, an elegant asphalt-gobbler with a snarling engine and TV screens in each headrest



garage staples) and designer for hire (from snowboard graphics to a new Detroit casino).

And now Foose is coming to a Ford dealership near you. The struggling manufacturer hopes to radiate some of his So Cal cool by unveiling a Foose-

## More colleges banning smoking

Trend now reaching bigger universities

By Emily Bazar  
USA TODAY

Colleges are snuffing out smoking everywhere on campus, even in outdoor light-up spots such as main quads and sidewalks.

At least 43 campuses from California to New Jersey have gone smoke-free, a trend that is accelerating, according to Americans for Nonsmokers' Rights. Most

## Across the USA

News from every state

**Alabama: Birmingham** — Former Franklin County district attorney John Pilati was indicted on federal charges accusing him of fondling four young men, ages 17 to 20, who were unclothed for body searches that he personally conducted from 2001 to 2004. Pilati, 41, of Russellville, faces four misdemeanor civil rights violations. His attorney says the charges were fabricated.

**Alaska: Anchorage** — New online bidding at the Fur Rondy's Hide and Horn Auction raised prices on brown bear hides by 20%, auctioneer Ron Alleva said. More than 3,000 bidders from 15 states and Canada participated in the sale of state-confiscated game. The sale included hides of brown bear, black bear, wolf and fox, and caribou and moose antlers.

**Arizona: Phoenix** — The board overseeing this state's public universities is poised to stop undocumented students from getting resident tuition, a move required by a voter-approved initiative. The proposal would require students to present a state driver's license issued after 1996, a passport or a birth certificate.

**Arkansas: Little Rock** — A death row inmate has asked to be executed, but the state Supreme Court refused to set a date for him. Justices noted that Terrick Nooner has a separate lawsuit pending in federal court claiming that lethal injections are unconstitutionally cruel. Nooner's lawyer says his client suffers from severe mental illness.

**California: San Diego** — The city has shut down its internal auditing unit, leaving no one to inspect invoices, purchases, time cards and department spending while management instead focuses on four overdue annual audits dating to 2003. Employees in the unit were reassigned more than a year ago. Chief Financial Officer Jay Goldstone said. Councilwoman Donna Frye called it "stunning information."

**Colorado: Springs** — El Paso County Sheriff Terry Maketa plans to ease jail overcrowding by moving inmates into a 12,000-square-foot tent set up in a parking lot. The tent will be heated to 65 degrees but might get a little chilly at times. Maketa said: "I think a little chill does the soul a little good."

**Connecticut: Norwalk** — The city's chapter of the NAACP will send monitors to determine if two Norwalk Superior Court judges are biased against minorities and others. Some attorneys accused Judges Barbara Bellis and Susan Reynolds of bullying defendants. State officials backed the judges, saying they are speeding up a process where cases stalled for months in the past.

**Delaware: Dover** — The state auditor's office found nothing to substantiate most of the claims of financial impropriety lodged against the Cape Henlopen School District. While the district did allow Del Tech and Wilmington College to use school facilities without a use-of-facilities agreement, it was cleared of allegations involving money left over from middle school construction projects.

**D.C.:** The city has agreed to pay \$200,000 to settle a lawsuit filed by a former police officer.

national Monetary Fund in 2002. Under the settlement, police officers assigned to the division in charge of patrolling major demonstrations must sign statements confirming they are familiar with public protest laws.

**Florida: Tampa** — A robber broke into Mayor Pam Iorio's house and stole jewelry. Police officers responding to the alarm found a double-paned window broken. Iorio found that someone had rifled through drawers in the bedroom and took the jewelry. Police said the burglary appeared to be random and was not politically motivated.

**Georgia: Atlanta** — Zoo Atlanta will remain in the historic park that has been its home for more than a century, said Dennis Kelly, president and chief executive. The zoo had considered relocating to a larger plot at an old fairgrounds, but Kelly said the zoo will renovate its 40-acre site in Grant Park near downtown.

**Hawaii: Lihue** — Work on a new \$50 million bike path along the east side of Kauai has been delayed for at least a month. Kauai County officials stopped to investigate whether a special management area permit was properly filed. About 2½ miles of the 20-mile bike path, which is planned to stretch from Lihue to Anahola, have been completed.

**Idaho: Emmett** — Eight counselors helped grieving students in the small community of Emmett, where a car veered off the road and into a pond this week, killing all five children inside who were on their way to school. The children, ages 12 to 15, were from two families. Some Emmett High seniors in a program called Natural Helpers were also aiding fellow students.

**Illinois: Springfield** — Human Services Secretary Carol Adams said she will resign or fire her chief of staff despite, who has been accused of sexual harassment. A former state employee alleges in lawsuit that he was fired after rejecting sexual advances made by Adams' chief of staff in 2003. Officials said he was fired for misusing a state vehicle.

**Indiana: Wabash** — A new report says the pilot of a small plane that crashed in 2005, killing all four people aboard, was disoriented as he tried to land. Pilot John Swan, 55, his wife, their son, and their son's girlfriend died in the crash about a half-mile from the runway at the Wabash Municipal Airport, according to the National Transportation Safety Board report.

**Iowa: Iowa City** — Marv Cook, an NFL all-pro player, has landed a coaching job at Regina High School. Cook, 41, earned all-American honors as a tight end at the University of Iowa. He played seven seasons in the NFL at New England, Chicago and St. Louis before retiring in Iowa.

**Kansas: Marysville** — Former mayor Murlynn "Mert" Ott, who twice served federal prison sentences for pornography charges, won this week's mayoral primary in the Marshall County town of about 3,300. Ott now will face Bernie Krug in the April 3 general election. In September 1987, Ott pleaded guilty in U.S. District Court to interstate transportation of pornography.

**Kentucky: Frankfort** — State Sen. Julian Carroll, a Democrat, called on Lt. Gov. Beshear to appoint a commission to study the state's economic future.

loyal and "has nothing to do." Carroll spoke days after Pence, a Republican, backed one of Gov. Fletcher's political opponents in the May 22 gubernatorial primary. Pence has said he doesn't plan to resign because he was elected to a four-year term, which expires in December.

**Louisiana: New Orleans** — A grand jury investigation into the deaths of four patients at a sweltering, flooded hospital during Hurricane Katrina is scheduled to begin March 6. Anna Pou, a doctor, and nurses Lori Budo and Cheri Landry were arrested in July but have not been formally charged. They have maintained their innocence. The attorney general said the women put desperately ill patients to death using lethal injection.

**Maine: Portland** — The state Supreme Judicial Court censured a probate judge and suspended him for 30 days for violating the judicial code of conduct. Justices ruled that Robert Nadeau knowingly misrepresented the professional conduct of one of his primary election opponents in 2004. His suspension would be shortened to seven days if he is treated for depression and participates in a judicial ethics course.

**Maryland: Annapolis** — Environmentalists are fighting a proposal to let developers build windmill farms that generate electricity for the wholesale market without permission from the Public Service Commission. The proposed state legislation would also eliminate reviews for potential impacts on wildlife and forest fragmentation.

**Massachusetts: Attleboro** — A father left his 1-year-old son in a shopping cart outside a clothing store and drove away, police said. Olwagbeminiyi Abiodun, 34, of Providence, R.I., thought he put his child in the safety seat before unloading the cart. A woman saw the child 15 minutes later and brought him inside. Abiodun was charged with misdemeanor reckless endangerment.

**Michigan: Lansing** — Bad weather postponed Gov. Granholm's town hall meeting on the state economy that had been scheduled for Thursday night in Traverse City. The session, now rescheduled for March 26, was supposed to be the first on Granholm's tour. Other meetings are planned in Flint, Detroit, Grand Rapids and Lansing.

**Minnesota: St. Paul** — A political group wants to "start a conversation" about allowing legal non-citizens to vote in city elections. Take Action Minnesota listed the idea in literature it gave city council candidates last month before screening them for endorsement. Other cities have laws that enable people with legal immigration papers to vote.

**Mississippi: Jackson** — Members of Mississippi Valley State University's Faculty Senate have expressed "no confidence" in the school's president, Lester Newman. The 33-1 vote addressed problems with following rules, using the proper chain of command, pay scale and a lack of professional courtesy. MVSU is one of the state's three historically-black universities.

**Missouri: St. Louis** — Robert Wachter, chief executive of American Healthcare Management, was sentenced to 18 months in prison on federal fraud charges connected to unhealthy conditions at

home residents suffered from dehydration, malnutrition, bed sores and unsanitary conditions, federal authorities said.

**Montana: Helena** — The state Board of Regents verified a petition for a new community college in the Bitterroot Valley and a May 8 election is planned on the issue. Supporters have lobbied for the school for more than a year, saying the area's growth and changing economy warrant easier access to higher education. It would be the state's first new college in more than 40 years.

**Nebraska: Omaha** — The city of Elkhorn is no more. Omaha officially annexed the smaller city, sending Omaha officers out to patrol what had been Elkhorn streets Thursday afternoon. Elkhorn leaders learned last week that the U.S. Supreme Court denied their request to freeze the annexation.

**Nevada: Sparks** — Guillermo Mendez, 25, drowned when his car plunged into a pond at a Sparks golf course. Mendez called his parents from a cellphone, saying his car was in the water and he couldn't get out, police said. Mendez told them he had swerved to avoid a dog.

**New Hampshire: Laconia** — The World Championship Sled Dog Derby will be held this weekend after being delayed due to lack of snow. But with the Valentine's Day storm and more snow in the forecast, organizers say conditions are adequate. The races were canceled last year because of little snow.

**New Jersey: Newark** — Rasheedah Dinkins, 20, has sued a Bergen County clinic and several of its doctors, saying she spent a month in a coma after undergoing an abortion. State health officials closed Metropolitan Medical Associates until it corrects "immediate and serious" risks regarding problems such as infection control.

**New Mexico: Albuquerque** — Efforts by city police to attract more officers to the force might hurt the nearby Los Lunas Police Department. Los Lunas Chief Nick Balido said his department could lose at least 10 officers — nearly half the force — to Albuquerque, which has recruited statewide to find at least 100 officers.

**New York: Camillus** — Camillus Cutlery Co., which produced the knives carried by millions of GIs during World War II, shut down for good this week. Employment at the company, which also made folding knives for generations of Boy Scouts, had dwindled from 700 at its peak in the 1940s to just a few dozen following a bitter six-month strike last year.

**North Carolina: Raleigh** — A state House committee has agreed that smoking should be banned in all state government offices, from the massive agency buildings in Raleigh to the rented strip mall shops where driver's licenses are issued. The law would be a major shift in North Carolina, the nation's largest tobacco producing state.

**North Dakota: Bottineau** — Triplet bull calves named Huey, Dewey, and Louie were born Feb. 5 at a ranch near the Canadian border. The odds of triplets is one in 105,000 and it's even higher for identical ones, rancher Jeff Monson said.

**Ohio: Cleveland** — Mayor Frank Jack-

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